

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL JONES,	:	
<i>Plaintiff,</i>	:	CIVIL ACTION
	:	
v.	:	
	:	
DAVID J. DENOTARIS et al.,	:	No. 13-4500
<i>Defendants.</i>	:	

A M E N D E D O R D E R

AND NOW, this 16th day of January, 2015, upon consideration of Defendants’ Partial Motion to Dismiss Plaintiff’s Amended Complaint (Docket No. 8) and Mr. Jones’s Response thereto (Docket No. 11), **the Court hereby ORDERS and DECREES that the Motion is GRANTED such that—**

1. Mr. Jones’s claims against the Defendants in their official capacities under 42 U.S.C. § 1983 (Count I) are **DISMISSED WITH PREJUDICE**;
2. Mr. Jones’s claims against the Defendants in their individual capacities under the Americans with Disabilities Act (Count II) are **DISMISSED WITH PREJUDICE**;
3. Mr. Jones’s claims under 42 U.S.C. § 1983 for violation of the Randolph-Sheppard Act, 20 U.S.C. § 107 *et seq.* (Count I), are **DISMISSED WITH PREJUDICE**;
4. Mr. Jones’s claims (Count I) for violation of the Randolph-Sheppard Act are **STAYED** pending Mr. Jones’s exhaustion of the Randolph-Sheppard Act’s grievance and arbitration procedures.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
United States District Judge